

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

CODA DEVELOPMENT s.r.o., CODA
INNOVATIONS s.r.o., et al.,

Plaintiffs,

v.

THE GOODYEAR TIRE & RUBBER,
COMPANY, et al.,

Defendants.

CASE NO. 5:15-cv-1572

JUDGE SARA LIOI

**PLAINTIFFS' UNOPPOSED MOTION
FOR EXTENSION OF PAGE LIMITATION FOR PLAINTIFFS' OPPOSITION BRIEF
TO DEFENDANTS' RULE 50(b) MOTION AND FOR LEAVE TO AMEND THE
PARTIES' BRIEFING SCHEDULE FOR CERTAIN POST-TRIAL MOTIONS**

MOTION GRANTED. Requested deadlines on
page 3 of this motion are approved and the page limitation for
plaintiffs' opposition brief to defendants' Rule 50(b) motion is
increased to 30 pages.

IT IS SO ORDERED.



**HONORABLE SARA LIOI
UNITED STATES DISTRICT JUDGE**

I. Plaintiffs Seek Leave to File an Opposition Brief to Goodyear's Rule 50(b) Motion that Exceeds Page Limitations.

Pursuant to Local Rule 7.1(f) and the Court's inherent authority, Plaintiffs Coda Development and Frantisek Hrabal ("Coda") respectfully move for an extension of the length (pages) for opposing Defendants' ("Goodyear's") Rule 50(b) Motion for Judgment as a Matter of Law. (Dkt. No. 376.) Specifically, Coda seek leave to file an opposition brief of 30 pages in length. In support, Coda states the following:

Beginning September 6, 2022, this Court conducted a nine-day jury trial on Coda's trade secret misappropriation claim, during which the parties presented testimony from 19 witnesses (live and via deposition) and 255 exhibits were admitted into evidence.

On October 14, 2022, Goodyear filed a Rule 50(b) Motion for Judgment as a Matter of Law, raising arguments on both liability and damages. (Dkt. 376.)

This Court will recall that, in the context of motions for summary judgment, the Court permitted Goodyear to present two separate motions for summary judgment on liability and damages, with expanded page limits, allowing Goodyear to file 70 pages in support thereof. (Dkt. 211.)

Now, with the benefit of a complete trial record, Coda respectfully seeks expanded page limits to defend against Goodyear's Rule 50(b) motion by presenting the Court with full citations to the record on which the jury could have reasonably relied to reach its verdict. Given the extensive factual record developed at trial, as well as the unique legal issues to be presented to the Court for decision, additional pages are warranted.

Counsel for Plaintiffs and Defendants met and conferred on this issue, and Defendants do not oppose Plaintiffs' request for leave to expand their opposition brief to a limit of 30 pages.

II. Plaintiffs Seek Leave to Amend the Parties' Briefing Schedule for Certain Post-Trial Motions.

Plaintiffs also respectfully move the Court for a partial extension of the parties' briefing schedule on certain post-trial motions.

Plaintiffs have good cause warranting an extension of these deadlines. On Friday evening, November 4, 2022, Goodyear submitted with its Opposition to Plaintiffs' Brief on its Inventorship Claim, a Responsive Proposed Findings of Fact and Conclusions of Law that *exceeds 100 pages in length*. (Dkt. No. 380-1.) Plaintiffs currently have but one week to respond to this brief, and that timing overlaps with completing the Rule 50(b) opposition.

Counsel for Plaintiffs and Defendants met and conferred on this issue, and Defendants do not oppose Plaintiffs' request for leave to amend the briefing schedule as follows:

<u>Briefs</u>	<u>Current Deadline</u>	<u>Requested Deadline</u>
Plaintiffs' Opposition Brief to Goodyear's Rule 50(b) Motion for JMOL	November 11, 2022	November 18, 2022
Plaintiffs' Reply in support of Plaintiffs' Brief on Inventorship Claims	November 11, 2022	November 18, 2022
Defendants' Reply in support of Defendants' Laches Defense	November 11, 2022	November 18, 2022
Defendants' Reply in support of Defendants' Rule 50(b) Motion for JMOL	November 23, 2022	December 7, 2022

DATED: November 8, 2022

Respectfully submitted,

/s/ Scott M. Richey

Boyd Cloern (*Pro Hac Vice*)
bcloern@steptoe.com
Leah Quadrino
lquadrino@stpetoe.com
Joseph Ecker
jecker@steptoe.com
Scott Richey
srichey@stepoe.com
Steptoe & Johnson LLP
1330 Connecticut Ave., NW
Washington, DC 20036
Telephone: (202) 429-3000
Facsimile: (202) 429-3902

Stacie Hartman (*Pro Hac Vice*)
shartman@steptoe.com
Steptoe & Johnson LLP
227 West Monroe Street, Suite 4700
Chicago, IL 60606
Telephone: (312) 577-1300
Facsimile: (312) 577-1350

Stephen W. Funk (0058506)
sfunk@ralaw.com
Roetzel & Andress, LPA
222 South Main Street
Akron, OH 44308
(T) 330.376.2700
(F) 330.376.4577

Attorneys for Plaintiffs

PROOF OF SERVICE

The foregoing was filed electronically with the Court on November 8, 2022. Notice of this filing was sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s/ Scott M. Richey